

## Message Text

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PAGE 01 STATE 080602  
ORIGIN L-03

INFO OCT-01 ARA-10 ISO-00 SS-15 INR-10 VO-05 CA-01  
INRE-00 /045 R

DRAFTED BY L/ARA:TFORTUNE:JV  
APPROVED BY L/ARA:M.KOZAK  
-----025404 291839Z /43  
O 291809Z HAR 78  
FM SECSTATE WASHDC  
TO AMEMBASSY PANAMA IMMEDIATE

C O N F I D E N T I A L STATE 080602

STADIS////////////////////

E.O. 11652: GDS

TAGS: PBOR, PN

SUBJECT: DRAFT IMPLEMENTING LEGISLATION; SPECIAL IMMI-  
GRATION PROVISION

1. FOLLOWING IS TEXT OF SPECIAL IMMIGRATION STATUTE AGREED  
TO BETWEEN STATE AND ARMY:

BEGIN TEXT. "SECTION 410. SPECIAL IMMIGRANTS. (A)  
SECTION 101(A)(27) OF THE IMMIGRATION AND NATIONALITY  
ACT (8 U.S.C. 1101(A)(27)) RELATING TO THE DEFINITION  
OF SPECIAL IMMIGRANT, IS AMENDED--

(1) BY STRIKING OUT "OR" AT THE END OF SUBPARAGRAPH (C);

(2) BY INSERTING AFTER SUBPARAGRAPH (D) THE FOLLOWING NEW  
SUBPARAGRAPHS:

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"(E) AN IMMIGRANT WHO IS AN EMPLOYEE OF THE PANAMA CANAL  
COMPANY OR CANAL ZONE GOVERNMENT, WHO IS RESIDENT IN THE  
CANAL ZONE ON THE DATE OF THE EXCHANGE OF INSTRUMENTS OF  
RATIFICATION OF THE PANAMA CANAL TREATY OF 1977, AND WHO  
HAS PERFORMED FAITHFUL SERVICE FOR ONE YEAR, OR MORE, AND  
HIS ACCOMPANYING SPOUSE AND CHILDREN; OR,

"(F) AN IMMIGRANT, AND HIS ACCOMPANYING SPOUSE AND CHILDREN, WHO IS A PANAMANIAN NATIONAL AND (I) WHO PRIOR TO THE DATE OF ENTRY INTO FORCE OF THE PANAMA CANAL TREATY OF 1977 HAS BEEN HONORABLY RETIRED FROM UNITED STATES GOVERNMENT EMPLOYMENT IN THE CANAL ZONE (OR FORMER CANAL ZONE) WITH A TOTAL OF FIFTEEN YEARS, OR MORE, OF FAITHFUL SERVICE OR (II) WHO, ON THE DATE OF ENTRY INTO FORCE OF THE PANAMA CANAL TREATY OF 1977, HAS BEEN FAITHFULLY EMPLOYED BY THE UNITED STATES GOVERNMENT IN THE CANAL ZONE (OR FORMER CANAL ZONE) FOR FIFTEEN YEARS OR MORE AND WHO SUBSEQUENTLY IS HONORABLY RETIRED FROM SUCH EMPLOYMENT."

(B) SECTION 212(D) OF SUCH ACT (8 U.S.C. 1182(D)), RELATING TO WAIVERS OF CONDITIONS OF INADMISSABILITY TO THE UNITED STATES, IS AMENDED BY ADDING AFTER PARAGRAPH (8) THE FOLLOWING NEW PARAGRAPH:

"(9) THE PROVISIONS OF PARAGRAPHS (7) AND (15) OF SUBSECTION (A) SHALL NOT BE APPLICABLE TO ANY ALIEN WHO IS SEEKING TO ENTER THE UNITED STATES AS A SPECIAL IMMIGRANT UNDER SUBPARAGRAPHS (E) OR (F) OF SECTION 101(A) (27)." END TEXT

2. IN ADDITION TO STATUTORY PROVISIONS, DEPARTMENT HAS AGREED TO INFORM SECRETARY OF THE ARMY BY LETTER THAT THE CONFIDENTIAL

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FACT THAT AN EMPLOYEE HAS BEEN INVOLUNTARILY SEPARATED FROM USG EMPLOYMENT AND HAS NOT BEEN OFFERED CONTINUED EMPLOYMENT UNDER SIMILAR CONDITIONS WILL BE "CONSIDERED" BY AMBASSADOR AND SECRETARY IN APPLYING EXISTING LAW. LETTER WILL NOT RESTRICT AMBASSADOR'S DISCRETION OR COMMIT HIM TO EXERCISE IT FAVORABLY IN CASES INVOLVING SEPARATED EMPLOYEES. IT WILL MERELY STATE WHAT IS ALREADY OBVIOUS: THAT INVOLUNTARY SEPARATION WITHOUT CONTINUED EMPLOYMENT WILL BE CONSIDERED, AS WOULD ANY PERTINENT FACT, IN APPLYING EXISTING LAW. TEXT OF PROPOSED LETTER HAS NOT BEEN FINALIZED AND WILL BE FORWARDED TO EMBASSY FOR COMMENT. COOPER

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NNN

\*\*\* Current Handling Restrictions \*\*\* STADIS

\*\*\* Current Classification \*\*\* CONFIDENTIAL

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENTS, CANALS, IMMIGRATION LAW  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 mar 1978  
**Decaption Date:** 20 Mar 2014  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Unique ID:** 00  
**Drafter:** TFORTUNE:JV  
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**Executive Order:** GS  
**Errors:** n/a  
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**Type:** TE  
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**Review Markings:**  
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